

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 411

September 12, 1995, 2:19 p.m.
Page S-13333 Temp. Record

WELFARE REFORM BILL/Maintenance of Effort

SUBJECT: Family Self-Sufficiency Act of 1995 . . . H.R. 4. Santorum motion to table the Breaux amendment No. 2488 to the Dole modified perfecting amendment No. 2280 to the committee substitute amendment.

ACTION: MOTION TO TABLE AGREED TO, 50-49

SYNOPSIS: As reported with a committee substitute amendment, H.R. 4, the Family Self-Sufficiency Act of 1995, will overhaul six of the Nation's ten largest welfare programs.

The Dole modified perfecting amendment would strike the provisions of the committee substitute amendment and insert in lieu thereof substitute provisions, entitled "The Work Opportunity Act of 1995."

The Breaux amendment would strike the Dole amendment's maintenance-of-effort provisions and would insert in lieu thereof alternate provisions. Those provisions would reduce a State's family assistance grant for fiscal year (FY) 1997, FY 1998, FY 1999, or FY 2000 if in the previous year that State had reduced its spending of State funds on welfare below 90 percent of the amount it spent on parts A and F of title IV of the Social Security Act (parts A and F provide AFDC cash benefits and AFDC job training benefits, respectively). The reduction in Federal funding would be equal to the amount by which the State had spent below that 90 percent mark. (Family assistance grants are block grants that would be created by the Dole amendment as a replacement for the Aid to Families with Dependent Children (AFDC) Program. The Dole amendment's maintenance-of-effort provisions would reduce a State's family assistance grant for FY 1997 or FY 1998 if in the previous year that State had reduced its spending of State funds on welfare below 75 percent of the amount it spent on part A of title IV of the Social Security Act (which provides AFDC cash benefits). The reduction in Federal funding would be equal to the amount by which the State had spent below that 75 percent mark.)

Those favoring the motion to table contended:

We oppose the Breaux amendment both on principle and on the parliamentary rationale that has been offered in its defense. The current system of leveraging funds is designed to encourage States to spend money on welfare. If a State has \$1 to spend, and if it

(See other side)

YEAS (50)		NAYS (49)		NOT VOTING ()	
Republicans (50 or 94%)	Democrats (0 or 0%)	Republicans (3 or 6%)	Democrats (46 or 100%)	Republicans (1)	Democrats (0)
Abraham	Hutchison	Cohen	Akaka	Inouye	Cochran- ²
Ashcroft	Inhofe	Jeffords	Baucus	Johnston	
Bennett	Kassebaum	Snowe	Biden	Kennedy	
Bond	Kempthorne		Bingaman	Kerrey	
Brown	Kyl		Boxer	Kerry	
Burns	Lott		Bradley	Kohl	
Campbell	Lugar		Breaux	Lautenberg	
Chafee	Mack		Bryan	Leahy	
Coats	McCain		Bumpers	Levin	
Coverdell	McConnell		Byrd	Lieberman	
Craig	Murkowski		Conrad	Mikulski	
D'Amato	Nickles		Daschle	Moseley-Braun	
DeWine	Packwood		Dodd	Moynihan	
Dole	Pressler		Dorgan	Murray	
Domenici	Roth		Exon	Nunn	
Faircloth	Santorum		Feingold	Pell	
Frist	Shelby		Feinstein	Pryor	
Gorton	Simpson		Ford	Reid	
Gramm	Smith		Glenn	Robb	
Grams	Specter		Graham	Rockefeller	
Grassley	Stevens		Harkin	Sarbanes	
Gregg	Thomas		Heflin	Simon	
Hatch	Thompson		Hollings	Wellstone	
Hatfield	Thurmond				
Helms	Warner				

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

knows that it can spend it on its citizens for one purpose and receive no Federal matching funds, or that it can spend it on another purpose for its citizens and get a 100-percent match, it will usually opt for the second purpose in order to maximize the total cash value of the benefits that it can get for its citizens. That result, of course, is why matching funds are offered. Congress knows that left to its own devices, a State may decide that it would rather spend its limited resources on building roads, schools, or libraries than on providing welfare. Offering a Federal match to provide welfare is intended to skew a State's priorities in favor of providing more welfare.

The Federal Government has succeeded mightily, and tragically, in skewing States' priorities in favor of welfare. This bill is intended to correct that skew by promoting work instead of dependency for the millions of people currently trapped in the Aid to Families with Dependent Children (AFDC) Program. For this effort to work, our colleagues are first going to have to realize that the States do have the best interests of their welfare recipients at heart, are second going to have to admit that the State governments are better equipped to solve the welfare mess than is the Federal Government, and are third going to have to abandon their cherished belief that the way to make a program better is to spend more money on it.

On the first point, we note for our colleagues that the Senate has a large number of former governors in it. If our colleagues really believe that Congress is the font of all compassion for the poor, than do they believe that some magical transformation overcame these former governors as soon as they breathed the rarified atmosphere of the Senate? If not, then why should these same people who could not be trusted as being caring as governors be trusted as caring now that they are Senators? States may certainly, and hopefully, not define compassion the way that Congress has defined it for so many years--spending as much as possible of the taxpayers' money on as many welfare recipients as possible--but they do not care any the less. For years, States have been trapped by this Federal program that encourages ever larger funding for dependency; we are confident that if States are given the opportunity they will build programs that define success by the number of people who leave welfare to become productive citizens rather than by the number of people they give welfare checks.

This observation brings us to our second point, which is that the States are better equipped to reform welfare than is the Federal Government. First, if the 50 States are allowed to experiment, they will be able to learn and copy from each other the solutions that work best. No such trial-and-error learning is possible with a uniform Federal solution. Second, each State has its own unique circumstances which it understands and in light of which it should be allowed to tailor its programs. A Federal, one-size-fits-all approach leaves many States with programs that do not fit them particularly well.

In offering the Breaux amendment, our colleagues have not really challenged the second point, but they have challenged the first point. Their amendment would not affect State control over welfare programs--States would still receive funding in block grants without having to comply with the dots and dashes of tomes of Federal regulations. The efficiency of State administration is not challenged. The compassion, as measured in dollars, though, is. Senators have darkly intimated that some States would ruthlessly starve millions of children as soon as they were given the chance. They have reached this conclusion of incipient ruthlessness by noting that some States might actually substantially reduce welfare spending.

This conclusion brings us to our third and final point on the principle of the Breaux amendment, which is that its proponents cannot shake their conviction that the value of a welfare program can be directly measured by the amount of money that is spent on it. To illustrate the folly of this conviction, we invite our colleagues to consider how this amendment would work in practice. Consider, for example, what would happen to a State that had a successful work program. If that State were paying roughly half of the cost of that program, 5 percent of welfare recipients could be moved into the workforce, and it could reduce its spending by 10 percent, and Federal funding would remain unaffected. After this initial 5 percent success, though, the Breaux amendment would work to discourage further gains. Any further reduction in State funding would result in a commensurate reduction in Federal funding. Thus, a \$1 cut in State funding would result in a \$2 cut in benefits to State citizens. In other words, the Breaux amendment would retain the matching-fund incentive that greatly contributed to the creation of the current welfare mess. The Breaux amendment would encourage States to reduce their welfare rolls by 5 percent but no more. We oppose this 5-percent solution.

In arguing in favor of this amendment, some Senators have candidly suggested that the Breaux amendment is no more than a marker from which to begin negotiations with the House on establishing a compromise maintenance-of-effort point. They have suggested that they may be amenable to a compromise of around 50 percent for 2.5 years. We appreciate their candor, and respond in kind that some opponents of the Breaux amendment may be willing to accept such a compromise as well. We are willing to discuss the limits to which we will accede to the House's position in conference. However, we cannot accept establishing our negotiating position by agreeing to an amendment that would set a 90-percent maintenance-of-effort requirement. Doing so would put us on record as supporting a position which we fundamentally oppose. We must therefore vote against the Breaux amendment.

Those opposing the motion to table contended:

The Breaux amendment would correct one of the largest problems in this welfare reform proposal, which is that it asks too little of the States. Historically, welfare programs have been operated as a Federal-State partnership. The Federal Government has put up approximately 55 percent of the money, and the State has come up with the rest; the Federal Government has set the ground rules and provided oversight, and the States have provided the administration. The House bill, and the Dole amendment before us, would

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break this historic partnership. Basically, the approach of both the House bill and the Dole amendment (even as modified) would be to hand the States a pot of money and then step aside. This approach, in our opinion, would invite a variety of unwelcome responses. In contrast, the Breaux amendment would promote responsible and vigorous reform efforts by the States by making them have a strong financial stake in the success of those efforts.

The House amendment is more extreme than the Dole bill. It would give States the same amount of money each year without requiring them to spend a dime. Some States might take that money and spend it wisely on successful reform initiatives that put their welfare recipients to work and save them hundreds of millions of dollars. We note, though, that the few successful State reform programs to date have had significant up-front costs. Our fear and expectation is that many States would simply slash their own spending on welfare, driving people off the rolls by providing inadequate benefits with the remaining Federal funds. Instead of putting people to work, some States would just put them into the streets. Further, as the funds gradually became only Federal funds, the States would become much more cavalier in their use.

Experience has taught us time and again that when Federal funds are given to the States without any requirement that a State match be provided, States will waste the money. As Robert Rector of the Heritage Foundation once noted, "If there's anything less frugal than a politician spending other people's money, it's one set of politicians with no accountability spending money raised by another set of politicians." In an extreme example of this principle, we know of one local community that used Law Enforcement Assistance block grant funds to buy its police chief a tank. Why not? It was "free" money. Yet another problem with not providing States matching funds is that they would be encouraged to engage in cost-shifting. A State that could lower the number of people on welfare by getting them into the Food Stamp Program (which is 100-percent federally funded) could then pocket the savings from the welfare block grant.

The Dole amendment, as modified, is actually acceptable. It would require States to spend for the next 3 years at least 75 percent as much as they now spend. However, our colleagues must keep in mind that this bill still has to go to conference, and the House bill is at 0 percent. If the conferees, as usual, simply split the difference, the result will be a 37.5-percent, maintenance-of-effort requirement for 1.5 years. Letting States cut their welfare spending by two-thirds within 1.5 years is not enough to keep them serious about welfare reform. We have accordingly proposed the Breaux amendment, which would require States to stay at 90 percent of their current spending for 5 years. Thus, if a State's welfare reform efforts proved successful, it could cut its welfare funding by 10 percent without losing any Federal funds. Keeping in mind the realities of conferences, though, agreeing to a 90-percent requirement would probably result in around a 40-percent to 50-percent requirement for 2 years to 3 years. Letting a State cut its funding in half without losing Federal funding is a much better result than letting it cut its welfare funding by two-thirds. We urge our colleagues to look at the Breaux amendment in this light, and cast their votes in its favor as a reasonable compromise.